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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/898,549	07/03/2001	Erno Kovacs	450117-03450	2858

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FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE- 10TH FL.
NEW YORK, NY 10151

EXAMINER
PATEL, HARESH N

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 12/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>03 July 2001</u> is/are: a)☐ accepted or b)☒ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
   a)☒ All b)☐ Some * c)☐ None of:
   1.☒ Certified copies of the priority documents have been received.
   2.☐ Certified copies of the priority documents have been received in Application No. _____.
   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
   application from the International Bureau (PCT Rule 17.2(a)).
   * See the attached detailed Office action for a list of the certified copies not received.

13)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
   since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
   37 CFR 1.78.
   a) ☐ The translation of the foreign language provisional application has been received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
   reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>5</u>.

4) ☐ Interview Summary (PTO-413) Paper No(s). _____.

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

DETAILED ACTION

1.   Claims 1-10 are presented for examination.

Priority

2.   Applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d) or (f), is acknowledged.

Specification

3.   The following guidelines illustrate the preferred layout for the specification of a utility

application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include
the following sections in order. Each of the lettered items should appear in upper case, without
underlining or bold type, as a section heading. If no text follows the section heading, the phrase
"Not Applicable" should follow the section heading:

(a) TITLE OF THE INVENTION.
(b) CROSS-REFERENCE TO RELATED APPLICATIONS.
(c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR
     DEVELOPMENT.
(d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A
     COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program
     listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables
     having more than 50 pages of text are permitted to be submitted on compact
     discs.) or
     REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a).
     "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
(e) BACKGROUND OF THE INVENTION.
     (1) Field of the Invention.
     (2) Description of Related Art including information disclosed under 37 CFR 1.97
     and 1.98.
(f) BRIEF SUMMARY OF THE INVENTION.
(g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
(h) DETAILED DESCRIPTION OF THE INVENTION.

(i) CLAIM OR CLAIMS (commencing on a separate sheet).
(j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
(k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence
   Listing" is required on paper if the application discloses a nucleotide or amino
   acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence
   Listing" is not submitted as an electronic document on compact disc).

The disclosure is objected. Some of the informalities are:

i.   Applicant needs to arrange disclosure as per above-mentioned sections.

ii.   The section "CROSS-REFERENCE TO RELATED APPLICATIONS"

must contain claimed priority application, co-pending applications and all known

related arts.

iii.   The disclosure is objected to as contains vague terms, like, "a plurality of

use for different presentations", "select one of a plurality of use of the service",

"select one of plurality of use for the presentation", etc., page 3, lines 1-8,

plurality of views, page 4, line 16.

iv.   All the known prior art contents should be part of the "Description of

Related Art" sub-section of the "BACKGROUND OF THE INVENTION"

section. For example, all the descriptions related to the browser, model-view-

controller architecture and the middleware.

v.   The "Field of the Invention" sub-section of the "BACKGROUND OF

THE INVENTION" should contain meaningful terms of the claimed invention.

vi.   Unless the invention is created from scratch, applicant needs to provide

the prior arts that have led to the invention. Applicant needs to provide all prior

art terms used in the claims. Example, the model-view-controller architecture

reference of page 5, lines 6-12. In response to this requirement, please provide the

title, citation and copy of each publication that is a source used for the description

of the prior art in the disclosure. For each publication, please provide a concise

explanation of that publication's contribution to the description of the prior art.

vii.   The DETAILED DESCRIPTION OF THE INVENTION section and all

the related sections should use clear terms like, "Servlet" and "Java Server Page",

rather vague terms like, "controller" and "view". Also rather using the same

vague terms like, portal application, over and over again, applicant needs to

provide full, clear, concise and exact terms, which one skilled in the art can

understand.

Appropriate correction is required.

4.   The title of the invention is not descriptive. A new title is required that is clearly

indicative of the invention to which the claims are directed.

The following title is suggested: "Multimedia services using Servlets and Java Server

Pages for markup language independent access".

5.   Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and
should include that which is new in the art to which the invention pertains. If the patent is of a
basic nature, the entire technical disclosure may be new in the art, and the abstract should be
directed to the entire disclosure. If the patent is in the nature of an improvement in an old
apparatus, process, product, or composition, the abstract should include the technical disclosure
of the improvement. In certain patents, particularly those for compounds and compositions,
wherein the process for making and/or the use thereof are not obvious, the abstract should set
forth a process for making and/or use thereof. If the new technical disclosure involves

modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:
(1) if a machine or apparatus, its organization and operation;
(2) if an article, its method of making;
(3) if a chemical compound, its identity and use;
(4) if a mixture, its ingredients;
(5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

The abstract of the disclosure is objected to because it does not contain computer terminology and is not properly understood. Key terms involved in the invention like, Java, Java Server pages, Servlet, etc. are missing in the abstract. Applicant needs to clearly specify the terms rather referring to the figure, like plurality of services (5, 6, 7, 8, 9, 10), which is not allowed. Also the abstract does not clearly state the goal of the invention. Correction is required. See MPEP § 608.01(b).

Drawings

6.   New corrected drawings are required in this application because Figure 1 does not show databases. Figures 4 and 7 need self-explanatory labels, rather "C", "V", "M", etc. Figure 6 does not convey information to enable any person skilled in the art.. Applicant is advised to employ the services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in

reply to the Office action to avoid abandonment of the application. The requirement for corrected

drawings will not be held in abeyance.

Information Disclosure Statement

7.   An initialed and dated copy of Applicant's IDS form 1449, Paper No. 5, is attached to the

instant Office action. Examiner makes a note that the applicant submitted the cited references of

the international search report but did not supply the search report (i.e. pages 12-14 of European

Patent Application 00114425.2). Also applicant has not submitted any prior art for the

mentioned well-known Model-view-controller architecture.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or
> any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and
> requirements of this title.

8.   Claims 1-8 are software per see that is not tangibly embodied on a computer readable

medium and therefore lacks a practical application because it alone cannot produce its intended

outcome.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making
> and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it
> pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode
> contemplated by the inventor of carrying out his invention.

9.   Claim 9 recites the terms "core service" and "special service". There is insufficient

antecedent basis for this limitation in the claim.

        The following is a quotation of the second paragraph of 35 U.S.C. 112:

        The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the
        subject matter which the applicant regards as his invention.

10.   Claims 1-10 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention.

11.   The term "controller component", "view component", "model component", "presentation

of data", "plurality of views component", "the presentation", "state of the controller component

is a function", "core service", "special service", "presentations", "multimedia service", etc., in

claims 1-10 are relative terms, which renders the claim indefinite. All the claimed terms must be

full, clear, concise and exact terms. Referring to the figures is not allowed.

Claim Rejections - 35 USC § 102

12.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

        A person shall be entitled to a patent unless –

        (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed
        in the United States before the invention by the applicant for patent or (2) a patent granted on an application for
        patent by another filed in the United States before the invention by the applicant for patent, except that an
        international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this
        subsection of an application filed in the United States only if the international application designated the United
        States and was published under Article 21(2) of such treaty in the English language.

13.   Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Helgeson et al.

6,643,652 (Hereinafter Helgeson).

14.   As per claims 1, 6, 8 and 9, Helgeson teaches the following:

Portal application for providing access from a client (11) to a multimedia service (1),

(e.g., The present invention presents a method for managing data exchange among systems

connected via a network. A plurality of predefined stylesheets are generated, with each

stylesheet describing a mapping between a system specific local format and a generic

interchange format. A data object is received from a first system in a first system specific local

format. This data object is translated from the first system specific local format to a generic

interchange format object with the predefined stylesheets using a system specific service

component which utilizes a native application programming interface of said first system. The

data object is then translated from the generic interchange format to a second system specific

local format object with the predefined stylesheets using a system specific service component

which utilizes a native application programming interface of said second system. The translated

data object is then transferred to the second system, col.2, lines 51 – 67),

wherein the portal application comprises a plurality of services (5, 6, 7, 8, 9, 10) (e.g.,

PreferenceManager--Set user preferences, SecurityManager--Manage user privileges. Assign

permitted operations on objects to users and groups. ServiceHolderManager--Enable and disable

common services (discussion, chat, etc.), col. 7, lines 47 – 61, col. 4 line 39 – col. 12 line 8),

respectively structured according to the model-view-controller architecture (e.g., The

architecture of the present invention adopts a three-tier model and is shown in the diagram in

FIG. 3. In FIG. 3 a tier 1 web user 301 is connected electronically to a tier 2 web server 305

which is connected to a tier 3 applications server 307. Also in Tier 1 a dedicated user 311 may

be directly connected to a tier 3 applications server 307. And the tier 3 applications server 307

may be connected to a database management system 309, col. 11, lines 27 – 38, col. 10, line 24 –

col. 31, line 29, Application Development Model, col. 33, line 65 – col. 136, line 67),

and respectively comprising at least one model component (14) containing data (e.g.,

database management system 309, col. 11, lines 27 – 38, col. 10, line 24 – col. 31, line 29), a

controller component (13) (e.g., Servlet, col., 27, line 20 – col. 38, line 45), and at least one

view component (12, 12', 12") (e.g., Java Server Page, col., 27, line 20 – col. 38, line 45), for the

presentation of data of the model component (14) (e.g., a tier 3 applications server 307. Also in

Tier 1 a dedicated user 311 may be directly connected to a tier 3 applications server 307. And

the tier 3 applications server 307 may be connected to a database management system 309, col.

11, lines 27 – 38, col. 10, line 24 – col. 31, line 29), wherein the services are designed to

communicate with each other by means of the controller component (13) a tier 3 applications

server 307. Also in Tier 1 a dedicated user 311 may be directly connected to a tier 3 applications

server 307. And the tier 3 applications server 307 may be connected to a database management

system 309, col. 11, lines 27 – 38, col. 10, line 24 – col. 31, line 29).

a plurality of views component (12, 12', 12") (e.g., Java Server Pages, col., 27, line 20 –

col. 38, line 45, An application would typically also include UI components (such as JSP pages

or servlets) which would use such business components, col. 33, line 65 – col. 136, line 67), for

the presentation of data of different mark-up languages (e.g., HTML, XSL/XSLT, WAP/WML,

etc. figure 4),

Multimedia service comprises a portal application (e.g., services offered by information server, interface server, business server of the SABA business platform, figure 17),

sending a request to a core service (5, 6) responsible for user management and/or administrative processing (e.g., communication between the applications, common business objects and the core services, figure 5),

forwarding the request from the core service (5, 6) to a special service (8, 9) (e.g., core service forwarding emails, faxes to the particular services handling them, col. 22, line 59 – col. 38, line 46, and

establishing a communication between the client (11) and the special service (8, 9) (e.g., client connection to the SABA business platform services supported by the interface server, figure 17, The present mechanism provides a solution to the needs described above through a system and method for managing data exchange among systems in a network. The systems and methods of the present mechanism translate data from a system specific local format to a generic interchange format object, and vice versa, with predefined stylesheets using generic components and a system specific service components which utilize a native application programming interface of the specific local system, abstract).

15.   As per claims 2-5, 7, 10, Helgeson teaches the following:

a controller component (13) (e.g., Servlet) of a service is designed to select one of a plurality of views component (12, 12', 12") (e.g., Java Server Pages) of the service according to the mark-up language used, the state of the controller component (13) is a function of a client's request, the special services are distributed over a network (e.g., HTML, XSL/XSLT,

WAP/WML, etc. figure 4, The present mechanism provides a solution to the needs described above through a system and method for managing data exchange among systems in a network. The systems and methods of the present mechanism translate data from a system specific local format to a generic interchange format object, and vice versa, with predefined stylesheets using generic components and a system specific service components which utilize a native application programming interface of the specific local system, abstract).

a controller component (13) of a service is designed to control at least one further controller component (13) of another or the same service (e.g., Servlet controlling another servlet handling a service , col., 27, line 20 – col. 38, line 45),

a controller component(13) of a service is designed to control a plurality of views component (12, 12', 12") for different presentations (e.g., Servlet controlling multiple Java Server pages for different user services, col., 27, line 20 – col. 38, line 45),

depending on one of the browser characteristic of the client, - device characteristics, time and/or date location, language, and user preferences (e.g., depending on locales, languages, timezones, and display formats, etc., col., 27, line 20 – col. 38, line 45).

Conclusion

16.   Examiner has found numerous arts that overcome the disclosed subject matter. Examiner also makes a note that all the claims 1-10 have been anticipated by the references cited by the international search report.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (703) 605-5234. The

examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to

8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Follansbee, can be reached at (703) 305-8498.

The appropriate fax phone number for the organization where this application or

proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding

should be directed to the receptionist whose telephone number is (703) 305-3900.

Haresh Patel

December 17, 2003

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100